BOARD OF EDUCATION BY-LAWS

PREAMBLE:

The purpose of the Board's By-Laws (the "By-Laws") is to provide for the organization of the Board and for an orderly and efficient method of performing its lawful functions; however, nothing in these By-Laws shall be interpreted to limit or modify in any way or to any degree the duties and responsibilities imposed on this Board by State Law.

ARTICLE I - RESPONSIBILITIES AND AUTHORITY (8100)

SECTION 1: RESPONSIBILITIES OF THE BOARD (8110)

A. The Fairfield Board of Education (the "Board") is the governing body of the Public Schools (the "School District") of the Town of Fairfield (the "Town") and derives its power and exists under the Constitution and General Statutes of the State of Connecticut (collectively, "State Law").

B. The Board shall:

1. Employ an able and qualified Superintendent of Schools (the "Superintendent").

2. Adopt policies to govern the operation of the School District.

3. In collaboration with the administration, communicate the School District's educational program to the community.

4. Keep apprised of, evaluate and attend to the School District's present and future educational needs as recommended by the administration.

5. Propose an annual budget and capital improvement project request and advocate for its passage.

6. Take any further action as may be required by State Law.

SECTION 2: AUTHORITY OF BOARD MEMBERS (8120)

Board members do not have any authority as individuals to take action for the School District. Only the Board, sitting in a legally constituted meeting, through a formal vote, may take action.

ARTICLE II - ORGANIZATION AND OFFICERS (8200)

SECTION 1: ORGANIZATION (8210)

A. On the date of its Business Meeting in November each year, the Board of Education shall organize by electing a Chairman, a Vice Chairman and a Secretary and also shall review its By-Laws (the "Organization Meeting").

B. Prior to the election of officers at the Organization Meeting, the Board shall select a temporary chairman and a temporary secretary to serve until the election of a Chairman, Vice Chairman and Secretary.

SECTION 2: OFFICERS (8220)

A. Officers of the Board shall be a Chairman, a Vice Chairman and a Secretary. They shall be elected at the Organization Meeting, but not later than thirty (30) days from the date on which newly-elected members take office, and the officers shall take office immediately upon election; however, no member shall hold more than one Board office concurrently. A record of the votes shall be transmitted to the Town Clerk within forty-eight (48) hours.

B. If the office of Chairman, Vice Chairman or Secretary is vacated for any cause during the term of the holder, another member of the Board shall be elected at the next meeting of the Board to fill the vacancy.

SECTION 3: DUTIES OF OFFICERS (8230)

A. <u>CHAIRMAN</u> -

1. The Chairman shall preside over all meetings of the Board, but the Chairman's status as presiding officer shall not impair the Chairman's right or duty to vote on any matter before the Board.

2. The Chairman shall be the official spokesperson for the Board and, unless the Board shall otherwise direct, shall make or authorize all announcements concerning Board policy or action.

3. The Chairman shall appoint members of the Board to act as voting members of the following bodies:

   a. The Board of Health, in accordance with §10.9 of the Charter of the Town (the "Town Charter").

   b. The Parks & Recreation Commission, in accordance with §10.10 of the Town Charter.

   c. Cooperative Educational Services ("CES"), in accordance with the charter and by-laws of CES.

d. Any school building committee established by the Town from time to time, subject to any approval(s) required by the Town.

4. The Chairman shall appoint members of the Board to act as liaisons to the following bodies:

   a. The Connecticut Association of Boards of Education ("CABE").

   b. The Representative Town Meeting (the "RTM").

   c. The Fairfield Council of Parent-Teacher Associations (the "PTA Council").

5. The Chairman may appoint members of the Board to serve as liaisons to any other local, regional or state body as the Chairman deems necessary or prudent.

6. Except whenever a Board member's term is established by the Town, every appointment by the Chairman shall be for a term of one year or until the discharge of the assigned function of the local, regional or state body, whichever is earlier.

7. Liaisons appointed by the Chairman to local, regional or state bodies shall be expected to attend any meeting of those bodies whenever an educational or related matter appears on the meeting's agenda.

B. VICE CHAIRMAN -

The Vice Chairman shall function as Chairman in the absence of the Chairman and shall assist the Chairman in the administration of the Chairman's various responsibilities. If the office of Chairman is vacated, the Vice Chairman shall act as Interim Chairman until the office is filled by a majority vote of the membership of the entire Board.

C. SECRETARY -

The Secretary shall perform all functions prescribed for that office by State Law and such other duties as the Board shall from time to time prescribe. The Secretary shall be responsible for the minutes of Board meetings and shall certify by his or her signature the minutes of each meeting in the official record. Minutes shall be open to public inspection under such regulations for the safeguarding of its records as the Board shall from time to time adopt.

In the absence at any Board meeting of the Chairman and Vice Chairman, the Secretary shall serve as Chairman.

D. CHAIRMANSHIP AT MEETINGS IN THE ABSENCE OF ALL OFFICERS -

In the absence at any Board meeting of all officers, the Chairman shall be appointed by lot.

SECTION 4: COMMITTEES (8240)

A. STANDING COMMITTEES -

At the annual Organization Meeting of the Board, the Chairman shall appoint three (3) members to each of the following Standing Committees for a one-year term: Curriculum, Policy and Special Program; Facilities, Information Technology and Long-Range Planning; and Finance, Budget and Community Relations.

Each Standing Committee shall meet from time to time as appropriate to fulfill its respective purposes; however, a Standing Committee must hold a meeting whenever requested by two (2) of its members. The members of a Standing Committee shall elect a chair by majority vote of the committee to manage the committee's meetings in accordance with the Freedom of Information Act and Robert's Rules of Order.

Each Standing Committee's chair shall provide a summary of its work to the Board during Education Meetings under "Reports of Board Members," including recommendations for consideration by the Board.

A calendar of anticipated Board of Education Standing Committee Meetings will be approved at each respective January Standing Committee meeting. The calendar will be posted, and meetings can be cancelled if there is no need to hold the meeting.

The purposes of the Standing Committees shall be as follows:

l. Curriculum, Policy and Special Programs

a. To provide a forum for the Superintendent and the Superintendent's staff to offer and exchange information about and discuss the continuing educational goals of the School District, including curriculum, co-curricular and extracurricular student activities and special education.

b. To formulate and recommend written policies by which the Board shall exercise its leadership in the operation of the School District.

c. To study and evaluate administrative regulations and reports concerning the execution of the Board's written policies in accordance with Article IV, Section 2.

2. Facilities, Information Technology and Long-Range Planning

a. To provide a forum for the Superintendent and the Superintendent's staff to offer and exchange information about and discuss the ongoing maintenance of school facilities.

b. To review information about and make recommendations to improve technology infrastructure across the School District.

c. To review information about and recommend a long-range facility plan for the School District.

d. To review long-range facilities plan prior to budget preparation and inform the Board of upcoming facilities/maintenance projects.

e. To review educational specifications for new construction or renovation of educational space.

3. Finance, Budget and Community Relations

a. To provide a forum for the Superintendent and the Superintendent's staff to offer and exchange information about and discuss the finances of the School District and the Annual Budget, and to ensure that the Board participates in the negotiation of labor agreements with each bargaining unit within the School District. Board of Education liaisons to negotiating teams will be selected from this standing committee. In the event that no member of the committee is available, the Board of Education Chairman will appoint an alternate member to serve in this capacity.

b. To strengthen the relationship between the School District and the community through various initiatives including special programs and events.

c. To work with central administrative representatives to establish budget timeline, review budget items, and report budget concerns to the full Board for discussion.

B. ADVISORY COMMITTEES -

Advisory Committees consisting of three (3) Board members appointed by the Chairman, may be established by majority vote of the Board from time to time for assignments which the Board deems beyond the purpose and scope of the Standing Committees. The Board shall provide a charge for the Advisory Committee, which shall include the preparation of a written report and recommendations for the Board's consideration within a specified period of time. Upon the Advisory Committee's presentation of a report and recommendations to the Board for consideration, the Advisory Committee shall be deemed dissolved and only the Board make take further action.

The Chairman and the Superintendent, or his or her delegate, shall be ex officio members of the Advisory Committees, and the chairman may appoint ex officio advisors from the community for assistance in gathering information, preparing reports and making recommendations. The Advisory Committee shall follow the provisions of the Freedom of Information Act as required by State law.

C. AUTHORITY OF COMMITTEES -

Unless specifically authorized by the Board, the Standing and Advisory Committees shall have the power only to make recommendations to the Board for further action. Neither the committees nor members of the committees shall be authorized to legally bind the Board or expend funds of the School District.

SECTION 5: REMOVAL OF OFFICERS (8250)

The Chairman, Vice Chairman or Secretary may be removed from office for cause, after reasonable notice and hearing, by a majority vote of those present at any Business Meeting, or at any Special Meeting called for the purpose, and may be removed without cause at any time by a vote of two-thirds (2/3) of the total membership of the Board.

ARTICLE III - MEMBERS (8300)

SECTION 1: QUALIFICATIONS (8310)

Board members must be qualified to serve in accordance with Section 2.1 of the Town Charter.

No member shall be employed for compensation in any position in the School District. If a Board member becomes employed by the School District, his or her position on the Board shall become vacant.

SECTION 2: CODE OF ETHICS (8320)

Board members shall adhere to the most recent edition of CABE's Connecticut Code of Ethics for Boards of Education (the "Code of Ethics") set forth as Article VII of these By-Laws.

SECTION 3: MEMBERSHIP ON SCHOOL BOARD ASSOCIATIONS (8330)

The Board may hold membership in CABE and the National School Boards Association and such other organizations or associations which will enhance the Board's ability to govern the School District.

SECTION 4: NEW MEMBER ORIENTATION (8340)

Experienced Board members and the administrative staff shall assist each new member to understand the Board's functions, policies, procedures, and the operation of the School District, as follows:

A. New members shall be given selected materials on the responsibilities and authorities of the Board and the Superintendent, including a copy of the Board's policies and By-Laws and Code of Ethics, the Superintendent's administrative regulations, and pertinent materials developed by CABE.

B. New members shall be invited to meet with the Superintendent and other administrative personnel to discuss their duties and responsibilities, and continuing Board members shall be notified of and invited to such meetings.

C. New members are encouraged to attend workshops approved by the Board.

SECTION 5: INDEMNIFICATION AND INSURANCE (8350)

The Board shall protect and hold harmless Board members against financial loss and expense, including attorneys' fees and costs, to the extent provided by State Law, and the Board shall maintain adequate insurance to protect Board members against such loss and expense.

SECTION 6: CONFLICTS OF INTEREST (8360)

Board members shall comply with the following rules pertaining to conflict of interest:

A. No member of the Board shall have any direct monetary interest in contracts with the School District, nor shall a member furnish any labor, equipment or supplies directly to the School District. The School District, however, may contract with corporations or businesses in which a Board member is an employee, in which case the member must declare his or her association with the firm and refrain from debating or voting on any related items.

B. The following rules shall govern conflict of interest in the employment of staff and members of the Board:

   A spouse, minor child, dependent of a Board member or persons otherwise related to a Board member, may be employed by the School District but only if (1) the Board member fully discloses the relationship at a public meeting of the Board, and (2) the entire Board subsequently votes to approve the employment (excluding the vote of the related Board member).

   Furthermore, Board members shall comply with State Law regarding conflict of interest and attempt to avoid any situations which might have even the appearance of a conflict of interest.

SECTION 7: RESIGNATION, TERMINATION AND VACANCIES (8370)

A. <u>RESIGNATION</u> -

   Any Board member may resign in accordance with 2.4 of the Town Charter. Prior to resigning, the Board member shall provide advance notice to the Board in order to assist the Chairman in the orderly and efficient administration of the Board.

B. TERMINATION -

Whenever a Board member no longer is qualified as an elector of the Town, his or her membership on the Board shall terminate in accordance with Section 2.1 of the Town Charter.

C. VACANCIES -

Any vacancy of the membership of the Board shall be filled in accordance with Section 2.5 of the Town Charter.

ARTICLE IV - METHODS OF OPERATION (8400)

SECTION 1: FORMULATION OF POLICIES (8410)

A. The Board recognizes three basic types of written guidance that govern the operation of the School District:

1. The Board formally adopts Policies for implementation by the Superintendent and the Superintendent's staff. The formulation and adoption of written policies shall constitute the basic method by which the Board shall exercise its leadership in the operation of the School District.

2. The Board delegates to the Superintendent the function of developing Administrative Regulations to implement the Board's policies (recognizing that not every policy requires a regulation).

3. The Board adopts By-Laws to govern its internal operations.

B. The Board policies shall be reviewed periodically and revised as needed. In order to insure compliance with current legislation and regulations, the Board shall contract with CABE for a full review of all policies and administrative regulations at least once every five years. All proposed revisions shall be referred to the Curriculum, Policy and Special Programs Committee and any changes to Board policy shall initially be presented by the committee to the Board as a draft at a Business Meeting or a Special Meeting. The policy will then be carried over for adoption at the next regularly scheduled Business Meeting or at the next Special Meeting.

C. The formal adoption of policy shall be recorded in the minutes of the Board, and only those written statements so adopted and so recorded shall be regarded as official Board policy.

SECTION 2: REVIEW OF ADMINISTRATIVE REGULATIONS (8420)

The Board shall delegate to the Superintendent the function of developing administrative regulations to implement Board policy. The Board reserves the right to review administrative regulations at its discretion through the Standing Committees to insure that they are consistent with policies adopted by the Board.

Administrative regulations need not be reviewed by the Board in advance of implementation except as required by State Law or in cases where strong community attitudes, or possible student or staff reaction, make it necessary or advisable for the regulation to have the Board's advance approval.

SECTION 3: REIMBURSEMENT OF EXPENSES (8430)

Board members shall be reimbursed for expenses incurred in the discharge of their duties under the same regulations that pertain to the School District's staff.

SECTION 4: BOARD EVALUATION (8440)

The Board of Education shall annually undertake a self-evaluation of its policies, practices, and internal operating procedures in order to provide the best possible services to the community and the School District at a Special Meeting in May prior to the Superintendent's Evaluation.

The Board of Education shall conduct a minimum of four (4) of its education meetings at four (4) different district schools throughout the school calendar year. The agenda for these meetings shall include a Moment of Pride.

ARTICLE V – MEETINGS (8500)

SECTION 1: REGULAR MEETINGS (8510)

Meetings of the Board shall normally be scheduled on the second Tuesday (the "Education Meeting") and the fourth Tuesday (the "Business Meeting") of each month, at a time and place designated by the Board. While the primary purpose of Education Meetings is not to transact business, action may be taken at such meetings provided proper notice thereof has been given in accordance with Section 3 of this Article V. All Board of Education meetings shall adjourn at 11:00 p.m. unless there is a majority vote of the Board to suspend the rule.

SECTION 2: SPECIAL MEETINGS (8520)

Special Meetings of the Board may be held at any time and shall be called in the manner prescribed by law. Reasonable notice of any Special Meeting and of the purpose thereof, shall be given to members of the Board.

SECTION 3: NOTICE OF MEETINGS (8530)

A. <u>NOTICE TO BOARD MEMBERS</u> -

Notice of each meeting of the Board and agenda prepared by the Superintendent, listing all proposed action at such meeting, shall be delivered to each member of the Board at least five (5) days prior to such meeting. Subject to each Board member's consent, the Superintendent may deliver notice and the agenda electronically.

B. NOTICE TO PUBLIC -

In compliance with State Law, the notice of the meeting date, and the agenda for such meeting, shall be made available to the public in writing and electronically on the Board's website. In addition, this information must be on file not less than twenty-four (24) hours before the meeting to which they refer in the Office of the Superintendent.

C. AGENDA -

The agenda is designed for the guidance and information of the Board and to inform the public of items of business to come before the Board. Additional items, not included in the filed agenda, may be considered and acted upon at such meetings upon the affirmative vote of two-thirds (2/3) of the members of the Board present and voting.

D. CONSENT AGENDA -

In the interest of dedicating the Board's agenda and deliberations to issues of utmost importance to the School District, the Chairman shall place routine meeting items that do not require substantive Board discussion on to a consent agenda (the "Consent Agenda").

1. In advance of every meeting, the Chairman shall provide information about each item placed on the Consent Agenda sufficient for Board members to understand what is being proposed and to consider whether every item is routine and not worthy of Board discussion.

2. At any meeting, any Board member may remove an item from the Consent Agenda for the Board's full discussion and further action.

SECTION 4: ORDER OF BUSINESS (8540)

A. The agenda at each Business Meeting shall be:

1. Call to Order and Roll Call
2. Pledge of Allegiance
3. Approval of Minutes
4. Consent Agenda
5. Old Business
6. New Business
7. Report of the Superintendent
8. Public Comments and Petitions
9. Adjournment

B. The agenda at each Education Meeting shall be:

1. Call to Order and Roll Call
2. Pledge of Allegiance
3. Approval of Minutes
4. Moment of Pride (optional)
5. Public Comments and Petitions
6. Extraordinary Business (if any)
7. Presentation(s)
8. Reports of Board Members
9. Open Board Discussion
10. Adjournment

C. To encourage public interest, the agenda for every meeting shall be posted on the School District's website and released in advance to the following:

1. Local Newspapers
2. RTM Education and Recreation Committee
3. PTA Representatives
4. FEA Liaison Committee
5. Principals, Headmasters and Central Office Administrators
6. Board of Finance
7. Board of Selectmen
8. Any appropriate Task Force or Committee
9. Public Libraries (including all supporting materials)
10. Any citizen who so requests and is willing to assume any additional cost

SECTION 5: EXECUTIVE SESSION (8550)

Meetings of the Board shall be open to the public; provided, however, that the Board may, by a majority vote of those present at any meeting: (1) hold adjudicative hearings in Executive Session when required by State Law and (2) deliberate and discuss, but not vote, in Executive Session on any matter exempt by State Law from public disclosure, including, but not limited to, personnel matters, collective bargaining strategy, pending claims and litigation.

SECTION 6: PUBLIC COMMENT (8560)

A. <u>PUBLIC COMMENT PRIOR TO BOARD ACTION ON AGENDA ITEMS</u> **–**

As a means of encouraging public participation during Board meetings, the Chairman shall solicit comments from the public with regard to agenda items, as proposed or amended, that the Board has discussed and will be acting upon by vote. The Chairman may limit public comment in any manner appropriate to the orderly and efficient conduct of Board meetings.

B. ADDITIONAL PUBLIC COMMENT AND PETITIONS -

The agenda of Board meetings shall also include an item for public comments and petitions regarding any topic or issue germane to the operation of the School District. The Chairman may limit public comment and petitions in any manner appropriate to the orderly and efficient conduct of Board meetings.

SECTION 7: PROCEDURES DURING MEETINGS (8570)

Except in emergencies, the Board shall not attempt to decide upon any question submitted for consideration by any person or persons until the Board has examined and evaluated all information. The Superintendent shall be given an opportunity to examine and evaluate all such information and to recommend action before the Board attempts to make a decision.

SECTION 8: QUORUM (8580)

Five (5) members of the Board shall constitute a quorum for any Business, Education or Special Meeting.

SECTION 9: PARLIAMENTARY PROCEDURE (8590)

Unless otherwise provided in the By-Laws, the Board shall conduct all of its business in accordance with Robert's Rules of Order Newly Revised 10th Edition (Perseus Publishing, Cambridge, Massachusetts).

SECTION 10: MEETINGS

Electronic Mail Communications

The Board of Education believes that Board members electronically connected to other Board members is an efficient and convenient way to communicate. The main goal of electronic mail (e-mail) is to expedite the passage of information. E-mail gives Board members quick access to one another. Communication among Board members via e-mail should conform to the same standards as other forms of communication (i.e., committee meetings, etc.) as directed by the Freedom of Information Act. When used properly, e-mail is an effective communications tool and can provide a formal record.

Guidelines for Board E-Mail Usage

The Freedom of Information Act mandates that all meetings of public bodies, such as school Boards, be open to the public. It is the policy of the Board of Education that e-mail shall not be used in such a manner as to deprive the public of the rights given to it under the Freedom of Information Act. For this purpose, this Bylaw sets forth guidelines for the uses intended to be made of e-mail by Board members when communicating with other Board members.

1. E-mail, like other written forms of communication relating to the conduct of the public business, is subject to the Freedom of Information Act and subject to disclosure.

2. Board members shall not use e-mail as a substitute for deliberations at public Board meetings and/or shall not discuss policy matters or vote informally on any issues.

3. E-mail should be used to pass along factual information.

4. Security of e-mail communication cannot be assured. Board members shall not reveal their passwords to others in the network or to anyone outside of it. If any Board member has reason to believe a password has been lost or stolen or that e-mail is being accessed by someone without authorization, he/she shall notify the Superintendent, who will notify the district's technology specialist.

5. Personnel issues and other sensitive subjects should never be discussed on-line. The confidentiality of employee data, student data, and other sensitive subjects must always be maintained.

Any usage contrary to the aforementioned shall be reported immediately to the Superintendent and may result in the suspension and/or revocation of system access.

Accessing E-Mail

In an effort to encourage all Board members to access e-mail while maintaining public fiscal responsibility, the Board of Education will loan to any Board member needing access, a computer (when surplus is available), and other hardware peripherals to be returned to the Board office upon leaving office. It will be the individual Board member's responsibility to provide the hook-up and pay all consumable expenses associated with e-mail usage. In the event a Board member elects not to access e-mail, a hard copy of all e-mail directed to "Board" will be placed in the Board packet delivered via courier, and will also be accessible in the Board of Education Office.

Legal Reference: Connecticut General Statutes

The Freedom of Information Act
1-200 Definitions
1-210 Access to public records. Exempt records
1-211 Disclosure of computer-stored public records

ARTICLE VI – AMENDMENTS (8600)

The By-Laws may be amended by the affirmative vote of a majority of the entire membership of the Board, at any Business or Special Meeting of the Board, provided that a copy of the proposed amendment shall have been included in the call for such meeting, except that it shall not be necessary to include proposed amendments in the call for an Organization Meeting when the By-Laws are reviewed.

ARTICLE VII –CODE OF ETHICS (8700)

The Code of Ethics is based upon "Standards of Leadership for Members of Boards of Education" recommended by the CABE Board of Directors.

1. I will be a staunch advocate of high quality free public education for all Connecticut children. In fulfilling my responsibilities, I will think of "children first."

2. I will, as an agent of the state, uphold and enforce all laws, rules, regulations and court orders pertaining to public schools.

3. I will strive to bring any needed change only through legal and ethical procedures. I will strive to help create public schools which meet the individual educational needs of all children regardless of their ability, race, creed, sex or social standing.

4. I will work unremittingly to help my community understand the importance of proper support for public education, whether it be in providing adequate finance, optimum facilities, staffing and resources, or better educational programs for children.

5. I will join with my Board, staff, community and students in becoming fully informed about the nature, value and direction of contemporary education in our society. I will support needed change in our schools.

6. I will strive to ensure that the community is fully and accurately informed about our schools and will try to interpret community aspirations to the school staff.

7. I will recognize that my responsibility is not to "run the schools" through administration, but together with my fellow Board members, to see that they are well-run through effective policies.

8. I will attempt to confine my Board action to policy-making, planning and appraisal, and will help to frame policies and plans only after my Board has consulted those who will be affected by its actions.

9. I will arrive at conclusions only after discussing all aspects of the issue at hand with my fellow Board members in meeting. I will respect the opinions of others and abide by the principal of majority-rule.

10. I will recognize that authority rests only with the whole Board assembled in meeting and will make no personal promises nor take any private action which may compromise the Board.

11. I will acknowledge that the Board represents the entire school community, and will refuse to surrender my independent judgment to special interest or partisan political groups. I will never use my position on the Board for the gain of myself or my friends.

12. I will hold confidential all matters pertaining to schools which, if disclosed, might needlessly injure individuals or the schools.

13. I will insist that all school business transactions be open and ethical.

14. I will strive to appoint the best professional leader available when a vacancy exists in the chief administrative position.

15. I will strive to appoint the best trained technical and professional personnel available, upon recommendation by the appropriate administrative officer.

16. I will support and protect school personnel in the proper performance of their duties. I will strive to ensure that all personnel have not only the requisite responsibilities, but the necessary authority to perform effectively.

17. I will refer all complaints through the proper "chain of command" within the system, and will act on such complaints at public meetings only when administrative solutions fail.

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